

END OF THE LUTGERT CASE

THE JURY UNABLE TO AGREE AND ARE DISCHARGED

Nine Jurors for Conviction and the Death Penalty, Three for Acquittal—The Weak Points in the State's Case Which Caused the Latter to Oppose Conviction—The Defendant to be Tried Again—A Sworn Statement From Lutgert

Chicago, October 21.—The gray light of a cool autumn morning straggled through the big windows of Judge Tutthill's court today as Adolph L. Lutgert, the man who has been on trial on the charge of murdering his wife and burning her body in a vat, heard from the foreman of the twelve men who have been considering his case for the past sixty-six hours the words: "We are unable to agree upon a verdict." Imperturbable as ever, evincing no joy at the words, the wonderful nerve of the Northsider was with him to the end. He stood up, and with only a good natured smile on his swarthy face, shook hands with his son Arnold, his counsel, and business partner, William Charles. In less than five minutes he was led back to jail, the jury dismissed and the great trial was over.

The twelve men were divided as follows: For conviction and the death penalty—Heickhold, Boyd, Bibby, Mahoney, Demiller, Foster, Shaw, Mahan, and Fowler; for acquittal—Harley, Holabird and Barber. Immediately after they were discharged, the jury requested to be allowed to return to the room which has been the scene of their discussion for so long. This was granted. Twenty minutes later, the jurors fled back into court and Foreman Heickhold handed the following to Clerk Noy, who by order of the court read it aloud:

"We, the jurors in the case of the people of the state of Illinois versus Lutgert, tender to the presiding judge, the honorable Richard S. Tutthill, and the brilliant state's attorney Charles S. Deneen, and his less brilliant assistant Mr. W. M. McEwen, as well as the attorneys for the defense, our most heartfelt thanks for the kind treatment we have received at their hands and we do not hesitate to state that were it not for the way in which they have attended to our personal comfort, as well as to our sanitary condition, the hardship would have been very great. As to the trial we wish to state that while the evidence was such that we were unable to agree upon a verdict, one thing we did agree about and that is that the circumstances were such that the police had ample reason to prosecute on the showing without hearing the defense and we commend them for having done their duty in the case."

FOREMAN HEICKHOLD, And balance of the jury. "Yes sir, we will try him again," said State's Attorney Deneen, when asked as to the probability of Lutgert being brought before the court a second time. "When we shall get at it, however is something I cannot tell you. The case will be brought before us as though there had never been a trial. But the second trial has no bearing whatever on the case just closed."

At 1 o'clock, this afternoon, counsel for Lutgert gave the state's attorney notice that they would tomorrow morning at 10 o'clock make formal application before Judge Tutthill for the admission of the prisoner to bail. Judge Tutthill will be asked to fix the amount of bail at \$15,000 but Lutgert will enter court prepared to furnish bonds of \$20,000 if necessary. State's Attorney Deneen was not prepared to say whether or not the application would be resisted.

It was admitted by several members of the jury that the disagreement was brought about by a wide difference of opinion regarding the rings found in the vat, the testimony of Emma and Gottlieb Semke and the testimony of Kottlieb who positively testified that they saw Mrs. Louise Lutgert alive in the Wisconsin town on May 3rd, 4th and 5th.

Juror Harley did not believe the rings found in the middle vat of Lutgert's factory were Mrs. Lutgert's rings. Holabird was inclined to believe the story of the Kenosha witnesses despite the impeaching evidence introduced and Barber would not believe the strong evidence given by the Semke sisters. These were considered the strong features of the trial by these jurors.

The Associated Press tonight obtained the one great feature missing in the famous Lutgert trial, the sworn testimony of the defendant himself, Adolph L. Lutgert. Lutgert made under oath tonight a statement for the Associated Press concerning the fearful crime charged against him, the first sworn statement yet made by him. The affair was put in writing in due legal form and certified to by a notary, Judge William A. Vincent, the leading counsel for the defendant, gave consent to the affidavit being made. The affidavit explicitly declares Lutgert's innocence. The document in full is as follows:

To the Public: The result of my trial, ending today, is a victory for me, because of the disagreement of the jury, but I am very much disappointed and very much surprised that the jury did not bring in a verdict of not guilty. I did not kill my wife and do not know where she is, but I am sure that it is only a question of time until she comes home. I did not go upon the witness stand because my lawyer, Judge Vincent, was bitterly opposed to my doing so and because he advised me it was not necessary. I am grateful for the tremendous change in public sentiment, in my favor, and time will demonstrate that I am not an innocent, but a very grievously wronged man. [Signed.] ADOLPH L. LUTGERT.

Subscribed and sworn to before me, this 21st day of October A. D. 1897. [Signed.] M. SULLIVAN, Notary Public.

J. C. Berry, one of the best known citizens of Spencer, Mo., testifies that he cured himself of the worst kind of piles by using a few boxes of DeWitt's Witch Hazel Salve. He had been troubled with piles for over thirty years and had used many different kinds of so-called cures, but DeWitt's was the one that did the work and he will verify this statement if any one wishes to write him. R. R. Bellamy.

To Fight Hawaiian Annexation in Washington

Honolulu, October 14, via San Francisco, October 21.—It was definitely decided yesterday among the Hawaiians opposing annexation that a commission of five men should be sent to Washington to determine the determined fight against the ratification of the annexation treaty.

THE PENITENTIARY BOARD

Declares Dr. Kirby Smith Guilty—J. E. Smith Superintendent Only in Name—To Dismiss Useless and Incompetent Employees—A Surplus From Sale of Farm Products

(Special to The Messenger.) Raleigh, N. C., October 21.—The penitentiary directors today unanimously decided that Dr. Kirby Smith, son of the superintendent, had been guilty of the grossest immorality with two of the female criminal inmates; that the charges against him were fully proved, and Dr. George L. Kirby and Superintendent Smith were commended for promptly discharging him as supervisor.

The board also decided to place the penitentiary absolutely in charge of the executive committee, composed of Directors Chadbourne, Martin and Cotten, thus taking control entirely out of Superintendent Smith's hands. Smith made no protest, but submitted to all. He is now only nominally the superintendent. His submission is all that saved him, as but for this he would have been deposed. All the officials and employees who have their families in the penitentiary are ordered to move them immediately. No bills are to be paid unless approved by Chairman Dockery and two executive committee members. There will be a complete overhauling, and all surplus employees will be dropped.

It was decided that the penitentiary should not be leased as the general sentiment in the state is strongly against leasing.

Chairman Dockery says an excellent showing was made by Superintendent Smith as to farming operations and that after paying the debts there will be \$25,000 surplus, putting cotton at a basis of 5 cents, and that there will be also plenty of grain and feed for another year.

A proposal from a Petersburg firm for convicts to make shirts in the penitentiary was referred to a committee. It was decided that all incompetent employees should be dropped and the penitentiary not made a refuge for office seekers.

Hart's Essence Ginger quickly cures Summer complaints caused by changes in drinking water—Climatic changes—Unripe fruit, etc., Diarrhoea, Dysentery, Cholera Morbus, Nausea, Vomiting, Flatulency, Cramps, Colic and all internal pains. Sold by J. C. Shepard, H. Hardin and H. L. Fentress.

Conference of the Minority Populists (Special to The Messenger.)

Raleigh, N. C., October 21.—The minority populists at their conference tonight heard speeches from Harry Skinner, J. M. Mewborne and others. There were present, besides these, Hamrick, Cobb, Hart, Jenkins, Green, Bryan of Chatham, Kelley, Brown of Jones, Fagan, Barker, Spier Whitaker, R. A. Cobb, Hileman and Wakefield. No one presided, but Skinner was the master spirit. The situation was discussed, and the speakers and others said they wanted harmony of all the populists. There was no talk about any method of securing this. It was said that the desire was to harmonize with the other faction of the party or the Butler populists, if any harmony can be gotten.

J. M. Thirswend, of Grosbeck, Tex., said he had a spell of indigestion, and feels bad and sluggish, he takes two of DeWitt's Little Early Risers at night, and he is all right the next morning. Many thousands of others do the same thing. Do you? R. R. Bellamy.

A State Forestry Society Organized (Special to The Messenger.)

Raleigh, N. C., October 21.—The North Carolina Forestry Society was organized today at the state fair. It starts with twenty members. W. C. Petty, of Carthage, was elected president; C. A. Schenck, of Biltmore, vice president, and W. W. Ashe, secretary. The forest products of the state are among its most important sources of income, amounting for the eastern counties alone, to more than \$12,000,000. The society has for its object the improvement and perpetuity of the forests of the state, their protection from fires and their renewal. The next meeting will be held at New Bern during the fair, when addresses will be delivered by State Geologist Holmes, and other members.

There is no need of little children being tortured by scald head, eczema and skin eruptions. DeWitt's Witch Hazel Salve gives instant relief and cures permanently. R. R. Bellamy.

Alex Gilmore in Cumberland Jail (Special to The Messenger.)

Fayetteville, N. C., October 21.—Alex Gilmore, the notorious outlaw, arrived in Fayetteville at 11 o'clock tonight in custody of Deputy Sheriff Jarman and Mr. Robert James. He is badly hurt; his back is full of buckshot. A great crowd of curious people surrounded the train upon its arrival and are now besieging the jail. He was quickly spirited into the county jail. There is no doubt of his identity.

Only One Race at the Fair Yesterday (Special to The Messenger.)

Raleigh, N. C., October 21.—Owing to the heavy track all the horse races were declared off at the state fair today, save a mile dash. This was won by Grand-Ma, owned by J. B. McCann, of Lynchburg. Lady Teacher, owned by Jas. Reedy, of Charleston, S. C., was second. Miss Carter and Jeneola ran a dead heat and their owners divided third money.

It is a mistaken idea that a cough acquired during the warm season need not be regarded seriously. Facts prove the contrary. Do not neglect yourself. A simple and effective remedy is at your hand. Parker's Tolu Cough Syrup is a quick and agreeable remedy for Cough or Cold, Hoarseness, Whooping Cough, or any affection of the Throat or Lungs. Pleasant to take—Children like it. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

SEACOST DEFENSES

ANNUAL REPORT OF CHIEF OF ENGINEERS WILSON

His Estimates for the Next Fiscal Year. Point at Which Work is Now in Progress. Modern High Power Guns Necessitate a Change in the Location of Seacoast Defense—Estimates for River and Harbor Improvements for Next Year

Washington, October 21.—General Wilson, chief of the engineers of the army, has made his annual report to the secretary of war. It is devoted to the fortifications and river and harbor improvements of the country. Estimates for coast defense for the years 1898-'99 are as follows: Gun and mortar batteries \$5,000,000, purchase of land for fortifications \$500,000, protection, preservation and repair of fortification \$100,000, preparation of plans for fortifications \$5,000, seawalls and embankments \$55,000, for torpedoes for harbor defenses, for the purchase of submarine mines and necessary appliances to operate them, for closing the channels leading to our principal seaports, for needful estimates, cable galleries, etc., to render it possible to operate submarine mines \$150,000, total \$5,810,000. To this is added \$41,000 for the engineer depot at Wiggins Point, N. Y.

On the subject of fortifications the report says: "The system of seacoast defense now in progress of construction is based upon the report of the board of fortifications and other defenses, appointed by the president under the provisions of the act of March 3rd, 1885. The report of this board, generally known as the Endicott board, was published in 1886. Under instructions from the chief of engineers dated March 29th, 1887, the board of engineers undertook the study and preparation of detailed projects for the artillery and submarine mine defense of the principal sea and lake ports of the United States. Up to the present time projects have been prepared and have received the approval of the secretary of war for many ports among which are the following: Hampton Roads, Va.; Wilmington, N. C.; Charleston, S. C.; Savannah, Ga.; Key West, Fla.; Pensacola, Fla.; Mobile, Ala.; New Orleans, Galveston, Texas. Projects for the defense of other ports are still under consideration.

"The great range of modern high power guns compels the establishment of defensive lines at distances from the cities and harbors considerably greater than heretofore deemed necessary. At many harbors the sites of the older type works are at distances from the objects to be protected insufficient to admit of a power defense under modern conditions. At other harbors, the areas of the older sites, which are suitable, are too small to accommodate the modern defense. The acquisition of suitable sites has, therefore, been a necessary feature of the construction of a modern system of seacoast defense. During the past fiscal year title has been obtained to sites at Portland, Maine; eastern entrance to Long Island Sound; Baltimore, Md.; Chesapeake Bay; Key West, Fla.; Galveston, Texas; San Diego, Cal.; and Puget Sound, Washington. All available funds for the purchase of sites for seacoast defenses have been pledged. The operations attending the acquisition of sites are frequently attended by tedious and unavoidable delays. An appropriation of \$500,000 is earnestly requested to continue the purchase of necessary sites."

Congress authorized the contract system in work on fortifications but it is not approved by General Wilson. General Wilson says that during the fiscal year ending June 30th, 1897 there was expended on river and harbor improvements \$13,461,295. For the fiscal year ending June 30th, 1898, his estimates are: Continuous work authorized by congress \$18,876,007; for other works not provided for by continuing contracts \$29,452,153. The principal estimate in detail on a number of states follows:

California—James river \$400,000; Norfolk harbor, \$56,774; Nansemond river \$30,000; Appomattox river \$30,000; Cape Charles City harbor \$40,000. North Carolina—Roanoke river \$41,000; Pamlico and Tar rivers \$38,500; Cape Fear river and below Wilmington \$250,000. South Carolina—Waccamaw river \$30,000; Winyah Bay \$450,000; Santee river \$100,000; Wappoo cut, \$25,000; Georgia—Savannah harbor \$450,000; Savannah harbor maintenance \$100,000; Savannah river \$100,000; Darien harbor \$75,000; Altamaha river \$50,000; Oconee river \$50,000; Ocmulgee river \$50,000; Cuba and inland waterways \$50,000; Outlet between Savannah and Fernandina, Fla., \$56,000; Flint river \$26,500.

Why not profit by the experience of others. Thousands of grateful men and women have been rendered healthy and happy by the use of Febreux's (Sweet Chilli Tonic with Iron), a skillful combination of the most approved remedies, which will promptly cure any case of Chills and Fever. It is sold by reputable dealers, who will not ask you to try inferior articles for the sake of extra profit. Guaranteed to cure. Money refunded. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

Spain to Regard Filibustering as Violation of International Laws

London, October 21.—The Madrid correspondent of The Daily Mail, says: "Senor de Lome, the Spanish minister at Washington has been instructed to notify the American government that henceforth filibustering expeditions will be regarded as breaches of international law. Such, at any rate, is the substance of his insistence, though it is just possible that the form in which they will be carried out will be modified. A very bad impression has been made here by the news from Havana that a majority of the important industrial, commercial, mining and agricultural enterprises in Cuba are being rapidly converted into foreign companies, chiefly American and English. It is feared that this may enable the companies to claim damages from Spain for losses during the war. Perhaps a further reason why these are seeking English and American protection is that Cuban capital is being rapidly withdrawn, cutting which will follow immediately on the proclamation of Cuban independence, when the time comes for it."

Lyran to Speak in Ohio

Columbus, Ohio, October 21.—The democratic state committee will bring William J. Bryan into Ohio for the last four days of the last full week of the campaign. He follows Senator Hanna for three speaking days, Montpelier, Defiance, Van Wert, Mt. Vernon, Newark, Shawnee, Logan, and then to Jackson, Waverly, Greenfield and perhaps Cincinnati being the place.

THE YELLOW FEVER.

Number of New Cases and Deaths at New Orleans Greatly Reduced—Frost Yesterday Morning Near That City—Reports From Other Infected Points

Montgomery, Ala., October 21.—The board of health bulletin at 1 o'clock today reports four cases, making a total of fourteen, and no deaths. Since the report of the board there has been one death, that of P. W. McAdams making two in all. Of the new cases two are white and two colored. The temperature here this morning was very low and some reported feeling frost.

A special to The Advertiser from Selma, Ala., says: "There was a light frost this morning with the wind from the north and cooling up. Dr. Gutierrez is expected here tonight or in the morning. New Orleans, October 21.—The fever situation improved to some extent here today. Where yesterday there had been some thirty cases by 1 o'clock, at 7 o'clock tonight there were only thirty. Most of the cases had been here for several days reported to the board of health. Among the deaths is that of Sister Silver, of St. Joseph's orphan asylum. She was reported to the board of health yesterday. The best attention was given her, but she seems to have contracted a very bad case of yellow fever, complicated with other disease and there was little chance of saving her life after her case had been brought to the attention of the board. The weather this morning was cool and reports from below New Orleans were to the effect that there was a light frost last night. Colonel L. D. Ellis, of Governor Foster's staff, said to a representative of the Associated Press this morning that he had received advice that there had been frost in St. Bernard parish and on the outskirts of the city last night. The deposits were slight and possibly not sufficient to stamp out the disease here. It does not seem at all likely that the fever will continue here for any length of time. Business is greatly depressed, but it is confidently expected that with the approach of cold weather the fever will die out, and New Orleans will recover some of the trade she has lost through the fright of the epidemic."

Jackson, Miss., October 21.—The state board of health in its official statement tonight reports four new cases of yellow fever, two of which were fatal. The situation at Edwards, seven at Bay St. Louis, and five at Gayuga. There was one death at Bay St. Louis, which place, up to date had had 150 cases of the fever. The situation at Edwards is much improved, no one being reported as seriously ill within the past twenty-four hours.

Mobile, Ala., October 21.—Four new cases, three deaths and five recoveries were reported at noon today. The record is: Total cases to date 187, total deaths 127, remaining under treatment 34. Two cases of fever are officially reported at Wheelerville, eight miles west of the city and two new cases are reported there. At Florence, Ala., one case.

Birmingham, Ala., October 21.—There is no fever excitement here. Governor Johnston and some of the state officers continue to transact their business in Birmingham until the epidemic is past at Montgomery. The people are not leaving here. Trains from Montgomery on the Louisville and Nashville are not permitted to stop in the city limits, but that is upon one road only.

Small pill, safe pill, best pill. DeWitt's Little Early Risers cure biliousness, constipation, sick headache, R. R. Bellamy.

On the Race Course

New York, October 21.—The moderately good card and fair weather brought a good attendance to Morris park today, and those who went to the big West Chester track saw fine sport.

First Race, one mile—Good Times, 4 to 1; won; Ben Reynolds, 13 to 10, second; Nana H., 13 to 5, third. Time, 1:42. Second Race, seven furlongs—Sailor King, 13 to 5; won; Homelike, 9 to 2, second; Chalmers, 15 to 1, third. Time, 1:24. Third Race, Hunter, one and one-eighth miles—Cleopatra, 15 to 10; won; Poetess, 13 to 10, second; Miss Prima, 3 to 1, third. Time, 1:56. Fourth Race, Casketon, five furlongs—Miss Tenny, 3 to 5; won; Kismet, 6 to 1, second; Saratoga, 20 to 1, third. Time, 1:34. Fifth Race, six furlongs—Rhodesia, 7 to 1; won; Cavalier, 5 to 1, second; Tremar, 15 to 1, third. Time, 1:40. Sixth Race, one and one-eighth miles—Bernardillo, 11 to 5; won; Estaca, even; Hugh Penny, 4 to 1, third. Time, 1:57.

New York, October 21.—There was a good attendance on the third day of the meeting at Fleetwood park and the sport was decidedly high class. The first event on the card was the 2 1/2 postponed trotting class in which Clayton and Nell Clayton had two horses, and Unabelle one. Clayton had no difficulty in finding the deciding heat with a little to spare. The 2:22 pace, in which Billy Wilkes had two heats to his credit yesterday, was not quickly decided, as Maud Z. the original favorite landed two heats in impressive style. In the deciding heat she got the best of the start, but broke. A fast field met in the 2:12 pace and the field sold for \$25, with \$10 each for Valleur and Winfield. The veteran Toney Wilcox captured the first heat in a drive but there was no mistake in making the last three heats, as Winfield went out from the word "go," and won in fast time with speed to spare.

In the 2:30 trotting class, Lucy M. was the favorite, but the Chestnut mare Legana, won the first heat by two lengths and the rank outsider, Alle Tare, won the second with equal ease.

Confederate Veterans of Virginia

Richmond, Va., October 21.—At the morning session of the grand camp of confederate veterans of Virginia, the old officers were re-elected.

Colonel Pettit offered the following resolution, which was adopted:

Resolved, That we heartily endorse the recommendation of the grand commander in reference to the importance of pushing to completion the monument to our president, Jefferson Davis, and we invite Hon. J. Taylor Ellison, president of the monument association, to make before us a statement concerning it.

The following resolution, offered by Rev. Dr. J. William Jones, was accepted:

Resolved, That the grand camp of Virginia has learned with pleasure of the purpose of the ladies of the Confederate Memorial Literary Society to erect a memorial hall at the University of Virginia in memory of her alumni who fell in the war of 1861-65 and we wish it all success.

The camp resolved to petition the legislature to appropriate \$10,000 a year to the Lee camp soldiers' home in addition to the present annual appropriation.

There are among the thousands who use Cod Liver Oil, to whom the taste of the Oil is objectionable. To these we take pleasure in recommending "Morrhavin" (Wine of Cod Liver Oil). It is not a synthetic compound, but is actually extracted from the finest quality of pure Norwegian Cod Liver Oil, thereby representing all its virtues, combined with Hypophosphites of Lime, Soda, and Magnesia. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

Charles News: Mr. W. G. Stone, who has been for several weeks in Virginia, returned to the city this morning. In a

POPULISTS INTERVIEWED

Butler Enumerates the Issues—Congressman Fowler Says His Party Does Not Need Fusion, and Chairman Fountain Says It Is Solid and in Good Fighting Trim (Special to The Messenger.)

Raleigh, N. C., October 21.—Senator Butler was interviewed today as to his plans and said: "We will elect an anti-monopoly legislature. The money question will be an issue which we couldn't keep out if we wanted to. There will be co-operation on reform in freight and passenger rates, and injunctions. In fact, the issues will be practically measures defeated in the last legislature. As to fusion, the people's party is in favor of the people co-operating against their natural enemies, no matter what party they are in. They want co-operation of the people in the state who think alike."

Congressman Fowler said: "We are to make our fight on anti-monopoly and lower railway rates. We want to get the populists together and convince them that the populist party can exist without fusion if necessary."

State Chairman Fountain said: "I regard the outlook in the state as very encouraging from our standpoint. Our people are all solid and in good fighting trim. I don't think the division in our party amounts to anything at all. The bolters have no following, and can get none. They don't affect us in any way. Fusion is too far in the future to be thought of. We are in the middle of the road. We propose to go before the people on clear cut issues. I don't know the republican attitude towards us. We will paddle our own canoe and they will paddle theirs."

Many of our people here are suffering from nervous troubles, Scrofula, Sores, Rheumatism, Dyspepsia, Catarrh, and other diseases which can be promptly and permanently cured by that sterling remedy, "Parker's Sarsaparilla—the King of Blood Purifiers." It has been used by thousands and never known to fail. Only the finest selected purifying tonic herbs and roots are used in its manufacture. It has all the good qualities of other remedies, with none of the bad. Sold by J. C. Shepard, H. Hardin and H. L. Fentress.

Spain to Protest Against Filibustering

Madrid, October 21.—The queen regent presided over the cabinet council today. Senor Sagasta, the premier, and Admiral Bermejo, minister of marine, both of whom were indisposed, were absent. Senor Gullon, the minister of foreign affairs, explained at length the present status of Spain's diplomatic relations with the United States and declared the cabinet was entirely in accord as to the policy to be pursued. General Correa, minister of war, said he was satisfied with the manner in which reinforcements were concentrating for Cuba. He declared that there were very few desertions.

At the meeting of the cabinet tomorrow, Senor Sagasta presiding, the ministers will consider the draft of the answer of Spain to the note of the United States on the subject of Cuba, delivered to the Spanish government by United States minister, General Stewart L. Woodford, shortly after his arrival here. It is understood that the reply will contain a formal protest against filibustering.

El Herald says that Senor Gullon submitted to the premier today his suggested draft of the reply to the note and that the premier approved it, but intimated that it should be withheld until after the arrival of Marshal Blanco a Havana.

Disfigurements for life by burns or scalds may be avoided by using DeWitt's Witch Hazel Salve, the great remedy for piles and for all kinds of sores and skin troubles. R. R. Bellamy.

The Hometell Commission a Failure

London, October 21.—Colonel John Hay, the United States ambassador, and the officials of the British foreign office decline to furnish the press with the text of Great Britain's reply to the suggestions of the United States monetary commissioners, though the foreign office people say it is in substance identical with the Associated Press' despatches of Saturday last giving the result of the meeting of the British cabinet, and that the communication sent yesterday evening to the commissioners through the United States embassy was practically a reiteration of the statements on the subject already made. A similar reply has been sent to the French embassy.

The United States commissioners recognize that their mission has been unsuccessful, though they will not admit it, as the answer of Great Britain says that country will be glad to receive other propositions, and the commissioners have decided, as a matter of form, to return to France and consult the French government as to whether fresh proposals should be made. But it is not expected that anything will result from their visit to France.

Our most eminent physicians prescribe "Hart's Emulsion of Cod Liver Oil" with Creasote and the Hypophosphites. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

The Winner Disqualified

Cincinnati, October 21.—After winning the Kentucky Central stakes at Latonia today Malvolio was disqualified and the race given to Dr. Black, who was only beaten a nose in a most exciting finish. The judges took the race away from Malvolio on account of a foul committed by Scherrer, Malvolio's jockey, in the stretch. The race was practically a two horse affair, as Malvolio and Dr. Black were five lengths in front of the field from the half mile ground on. When the pair turned into the stretch both jockeys made for the dry path, near the outer rail, and then came the exciting part of the contest. Both boys drew their whips and it was a battle royal until within a few yards of the wire. Here Scherrer let go of Malvolio's head, causing the horse to swerve and carrying Dr. Black with him. The judges presumed that this was intentional on the part of Scherrer and gave their decision in favor of Dr. Black. Weather cool; track heavy.

You can't afford to risk your life by allowing a cold to develop into pneumonia or consumption. Instant relief and a certain cure are afforded by One Minute Cough Cure. R. R. Bellamy.

Agricultural Society Officers Elected (Special to The Messenger.)

Raleigh, N. C., October 21.—The State Agricultural Society in annual session tonight elected John S. Cunningham president and re-elected John Nichols secretary. Julian S. Carr presided at the meeting.

A LOCAL

A Climatic

Nothing but a local remedy or change of climate will cure it. Get a well-known pharmaceutical remedy.

ELY'S CREAM BALM

It is quickly absorbed. Gives relief at once.

COLD IN THE HEAD

It opens and cleanses the Nasal Passages. Allays Inflammation. Heals and Protects the Membrane. Restores the Senses of Taste and Smell. Full size 50c. Trial Size 10c at Druggists or by mail.

ELY BROTHERS, 56 Warren St., New York.

TO OUR FRIENDS.

WE CONGRATULATE THE MERCHANTS OF EASTERN NORTH AND SOUTH CAROLINA UPON THEIR BRIGHT PROSPECTS AHEAD FOR BUSINESS.

WE WILL APPRECIATE YOUR OR DERS FOR

Groceries at Wholesale Only

OUR SPECIAL ENDEAVOR IS TO SATISFY OUR CUSTOMERS.

CARGO LIVERPOOL SALT AMONG OTHER SPECIALTIES.

ALSO NEW CATCH MULLETS JUST RECEIVED.

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WE CAN ACCOMMODATE

A FEW MORE CUSTOMERS

WITH FIRST CLASS BUTTER.

Also NEW CHEESE, 20 pounds average, fresh and sweet, fresh FRUITS, COFFEE of all grades, CANDY in barrels, boxes, tins, Cakes in barrels, boxes and half boxes, CHEWING GUM any style, TOILET SOAP to suit everybody, DRUGS, INKS, PENCILS, WRAPPING PAPER, TWINES, paper and cotton, FISH, FLOUR, Use good Flour to make good Bread. PILLSBURY'S BEST is what to use. It makes Cakes just right.

R. W. HICKS.

WHOLESALE GROCER.

CARTER'S

LITTLE LIVER PILLS.

CURE

Sick Headaches and relieve all the troubles incident to a bilious state of the system, such as Dizziness, Nausea, Drowsiness, Distress after eating, Pain in the Side, etc. While their most remarkable success has been given in curing

SICK

Headache, yet CARTER'S LITTLE LIVER PILLS are equally valuable in Constipation, curing and preventing this annoying complaint, while they also correct all disorders of the stomach, stimulate the liver and regulate the bowels even if they only cure

HEAD

Ache they would be almost priceless to those who suffer from this distressing complaint, but fortunately their goodness does not end here, and those who once try them will find these little pills valuable in so many ways that they will not be willing to do without them. But after all sick head

ACHE

is the bane of so many lives that here is where we make our great boast. Our pills cure it while others do not.

CARTER'S LITTLE LIVER PILLS are very small and very easy to take. One or two pills make a dose. They are strictly vegetable and do not gripe or purge, but by their gentle action "cleanse all who use them." In vials of 25 cents for 50. Sold everywhere, or sent by mail.